## In the Indiana Supreme Court

IN THE MATTER OF	)
	) Case No. 49S00-0209-DI-464
LARRY G. WHITNEY	)

## ORDER DENYING RESPONDENT'S BELATED PETITION FOR RELIEF FROM FINDING OF MISCONDUCT AND ORDER OF SUSPENSION FROM PRACTICE OF LAW AND REQUEST FOR NEW HEARING

On January 10, 2005, this Court issued an Order suspending the respondent from the practice of law for six (6) months, effective February 21, 2005, with automatic reinstatement thereafter. On February 9, 2005, upon respondent's motion, we extended the effective date of respondent's suspension to March 16, 2005, to accommodate a scheduled trial. Before us now is *Respondent's Belated Petition for Relief from Finding of Misconduct and Order of Suspension form Practice of Law and Request for New Hearing*, filed March 9, 2005, and the Commission's reply filed March 15, 2005.

And this Court, being duly advised, now finds that respondent's petition for relief and request for hearing should be DENIED.

IT IS, THEREFORE, ORDERED that respondent's petition for relief and request for hearing are DENIED. Our order suspending respondent for a period of six (6) months, beginning March 16, 2005, with automatic reinstatement thereafter, remains if full force and effect.

The Clerk of this Court is directed to forward notice of this Order to the respondent or his attorney and to the Indiana Supreme Court Disciplinary Commission.

DONE at Indianapolis, Indiana, this _	day of May, 2005.
]	Randall T. Shepard
	Chief Justice of Indiana

SHEPARD, C.J. and DICKSON, SULLIVAN and BOEHM, JJ., concur.

RUCKER, J., dissents with separate statement.

RUCKER, J. dissenting. The facts set forth in Respondent's latest filings call into serious question the credibility of one of the Commission's key witnesses. In light of this new information Respondent is entitled to either a new hearing or a modification of his six-month suspension from the practice of law. I therefore respectfully dissent from the majority's decision to deny Respondent any relief.